

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

David Clarence Mullen

Serial No.: 10/813,509

Filed: March 29, 2004

Atty. File No.: 4366-161

For: "METHOD AND APPARATUS TO
FORECAST THE AVAILABILITY OF A
RESOURCE" (As Amended)

) Group Art Unit: 2609

) Examiner: NGUYEN, KHAI N.

) Confirmation No.: 7396

) AMENDMENT AND RESPONSE

CERTIFICATE OF TRANSMISSION

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS
BEING TRANSMITTED VIA THE OFFICE ELECTRONIC
FILING SYSTEM IN ACCORDANCE WITH 37 CFR
§1.6(a)(4) *on*

December 17, 2008

SHERIDAN ROSS P.C.

BY: *Sheridan Ross*

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants submit this Amendment and Response to address the Office Action having a mailing date of September 22, 2008. Although the Applicants believe that no fees are due in connection with the filing of this Amendment and Response, please charge any fees deemed necessary to Deposit Account No. 19-1970. Reconsideration and withdrawal of the objections to and rejections of the claims set forth in the Office Action are respectfully requested.